

REMARKS

Claims 7, 10, 11 and 12 remain pending in this application. Claims 7, 8, 9/7 and 10-12 are rejected. Claims 9/8 is objected to for being dependent upon a rejected base claim. Claims 8-9 are cancelled herein. Claims 1-6 are previously cancelled. Claims 7, 10 and 11 are amended herein. Claim 7 is amended herein to incorporate the structural limitations of claims 8 and 9, which is equivalent to putting claim 9/8 in independent form and in form for allowance. Claim 10 is amended herein to address the indefiniteness rejection. Claim 11 is amended herein to remove its dependency from a cancelled claim.

Applicants submit herewith amendments to the specification to provide discussion of pivoting angles (47) and (48), illustrated in Fig. 2, but not otherwise discussed in the previously presented version of the specification. Support for the discussion of the pivoting angles may be found in the specification, claims and abstract originally filed. No new matter is added. Entry of the amendments to the specification are respectfully requested.

Claims 11 and 12 are rejected under 35 U.S.C. § 112, first paragraph, for containing subject matter lacking an adequate written description in the

specification. More specifically, the Examiner states that it is unclear how drives (36) and (37) are interrelated to the rest of the apparatus.

MPEP §2163 states that “[t]o satisfy the written description requirement, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention.”

Applicants respectfully traverse the rejections.

In regard to claim 11, the Office Action itself demonstrates that the specification is sufficient to reasonably convey to one skilled in the art that the inventor has possession of the first regulatable drive recited in claim 11, which corresponds to drive (36), and its interrelation with the transmission, which corresponds to gears (41)-(44). As the Office Action states, “it appears that 36 may rotate 17 through 41-44.” Office Action page 2 citing specification page 8. Moreover, the specification specifically states that “[f]or the pivoting movement of the transverse crossmember 17 about the axis 38, a pinion gear 39 attached to the drive 36 drives the toothed wheel 40, which forwards the movement to the bevel gears 41 through 44.” Specification page 11. Thus, the specification

reasonably conveys possession of the interrelation of the drive (36) to the rest of the apparatus.

Furthermore, the Office action states “it is unclear how 37 is connected to gears 41-43 and how 43 is connected to 18 to pivot 18.” Office Action page 2. However, claim 11 is not directed to the second regulatable drive, which corresponds to drive (37) or the workpiece holder, which corresponds to the workpiece holding means (18). Thus, the basis of the rejection for lack of adequate description does not apply to claim 11.

In regard to claim 12, the specification sufficiently conveys possession of the second regulatable drive recited in claim 12, which corresponds to drive (37). The specification specifically states that the “[d]rive 37 can perform a potentially necessary moving apart of the workpiece holding means 18 for dual parts *via a second system of bevel gears that are borne in the hollow shafts of the bevel gears 41 through 43* for the pivoting.” Specification page 11 (emphasis added). In other words, the bevel gears and toothed wheel for drive (37) are a second system similar to those related to drive (36), as described in the specification and shown in Figure 3. There is no need for duplicative disclosure of the bevel gears that may be used to transmit movement from drive (37) to the workpiece holding means (18). The

only material difference between the bevel gears disclosed for drive (36) and the bevel gears for drive (37) is that the bevel gears for drive (37) are borne in hollow shafts of bevel gears (41) through (43) related to drive (36), as described in the specification. *Id.* Thus, the interrelation of drive (37) to workpiece holding means (18) and to bevel gears (41) through (44) are clearly described in the specification so as to convey to one skilled in the art that the inventor had possession of the claimed invention.

Claim 9/7 and claim 10 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite due to various informalities.

Claim 9 is cancelled herein. Moreover, the amendment of claim 7 with the structural limitations of claims 8 and 9 ensures that no claim in the application has a scope equivalent to the original claim 9 as depending from claim 7. Thus, the rejection of claim 9 as depending from claim 7 is rendered moot by the current amendment to the claims.

In regard to claim 10, the amendments to claim 10 overcome the rejection. As amended, claim 10 does not add new elements to the claimed apparatus but rather adds structural limitations to the elements previously recited. It should be

noted that amendments to claim 7 were also made to delineate between a first and second axis to further clarify the language regarding the structural limitations recited in claim 10.

Since the current application is a national stage application of a PCT application, the priority document was filed with the International Bureau. The Examiner is respectfully requested to obtain the priority document from the PCT/designated office unit in the U.S. Patent Office and acknowledge receipt thereof in the next Office Action.

Applicants respectfully request that the Examiner acknowledge the claim for foreign priority and the receipt of a copy of the certified priority document from the International Bureau.

No fee is believed due. If there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.



Respectfully submitted,
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